



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

August 8, 2008

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – United States Military Academy Board
of Visitors Charter Renewal

The Office of the Secretary of Army has requested the charter for the United States Military Academy Board of Visitors to be renewed (Attached).

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR, § 102-3.60, has carefully reviewed the Secretary's request, and has determined that renewing this non-discretionary committee's charter is in the best interest of the Department of Defense and the American public.

The Department of Defense has further determined that this non-discretionary advisory Board is essential to DoD's mission, and that no other DoD or Executive Branch advisory committee can meet these needs. The Board, through its membership, continues to provide independent advice to the President.

Board members appointed by the President, who are not Federal officers or employees, shall be appointed as experts and consultants by the Secretary of Defense under the authority of 5 U.S.C. § 3109 and serve as Special Government Employees. Board Members shall with the exception of travel and per diem for official travel, serve without compensation, unless otherwise authorized by the Secretary of Defense.

Board members designated by the President shall serve for three years; however, except, that any Member whose term of office has expired shall continue to serve until a successor is appointed. In addition, the President shall designate two persons each year to succeed the Members whose terms expire that year. If a Board Member dies or resigns, the official who designated the original Member shall designate a successor Member who shall serve for the remainder of the term. The Board Members shall select the Board Chairperson from the total membership.

The Board is authorized to establish subcommittees, the Board, to include any subcommittees, will operate under the provisions of the Federal Advisory Committee



Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and 41 CFR, Parts 102-3 through 102-3.185.

Prior to submitting a Federal Register notice and subsequently filing the Board's charter with the Library of Congress and the appropriate congressional committees, the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the charter (attached). The charter has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact me at 703-601-6128.

A handwritten signature in black ink, appearing to read "James D. Freeman II", with a large, stylized flourish above the name.

James D. Freeman II
Deputy Committee Management
Officer for the Department of Defense

2 Attachments
As stated

TAB 1



BOARD OF VISITORS
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996

July 31, 2008

Department of the Army
Office of the Administrative Assistant to the Secretary
US Army Resources and Programs Agency
ATTN: SAAA-RP, 13th Floor, Taylor Building (Bonucelli)
2511 Jefferson Davis Highway
Arlington, VA 22202-3926

Dear Ms. Bonucelli:

In accordance with DoDI 51505.04, Enclosure 3, Paragraph E3.4.6, enclosed for renewal is the United States Military Academy (USMA) Board of Visitors (BoV) Charter. The Board's current Charter, dated October 1, 2006 expires on September 30, 2008.

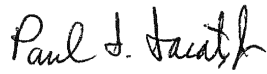
Under the provisions of 10 USC, subsection 4355, and the Federal Advisory Committee Act (FACA) of 1972, the USMA Board of Visitors continues to accomplish its inquiry mission of the Academy by conducting four meetings per fiscal year; individual member visits and inquiries to the Academy, and providing recommendations to the President of the United States in its annual report. This committee is mandated by Congress and its membership is diverse, with members of congress and special government employees.

The Board's mission, as codified in Title 10 states that the members of the Board "shall inquire into the morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters pertaining to the Academy that the Board desires to consider." The committee's functions are not performed by another existing DoD committee or any other agency, nor is there an agency with similar missions which could absorb the functions of the USMA BoV. The BoV provides the President of the United States independent advice and recommendations on matters relating to the United States Military Academy, a Direct Reporting Unit to the Department of the Army.

If you require additional information or assistance, please contact Ms. Cynthia Kramer, Alternate Designated Federal Officer to the Board at 845-938-5078 or via email: cynthia.kramer@usma.edu, and she will be happy to assist you.

Best Wishes from West Point.

Very Respectfully,

A handwritten signature in cursive script, reading "Paul S. Sarat, Jr.".

Paul S. Sarat, Jr.
Lieutenant Colonel, US Army
Designated Federal Officer to
The USMA Board of Visitors

CHARTER UNITED STATES MILITARY ACADEMY BOARD OF VISITORS

- A. Official Designation: The Committee shall be known as the United States Military Academy Board of Visitors (hereafter referred to as the Board).
- B. Objectives and Scope of Activities: The Board, under the provisions of 10 U.S.C. § 4355, and the Federal Advisory Committee Act of 1972, as amended, shall provide the President of the United States independent advice and recommendations on matters relating to the U.S. Military Academy, to include but not limited to morale and discipline, curriculum, instruction, physical equipment, fiscal affairs, and academic methods.
- C. Board Membership: The Board shall be composed of not more than 15 members. Under the provisions of 10 U.S.C. § 9355 (a), the Board members shall include:
- a. The Chairperson of the Committee on Armed Services of the Senate, or designee;
 - b. Three other members of the Senate designated by the Vice President or the President pro tem of the Senate, two of whom are members of the Senate Committee on Appropriations;
 - c. The Chairperson of the Committee on Armed Services of the House of Representatives, or designee;
 - d. Four other members of the House of Representatives designated by the Speaker of the House of Representatives, two of whom are members of the House Committee on Appropriations; and
 - e. Six persons designated by the President.

Board Members designated by the President, who are not Federal officers or employees, shall be appointed by the Secretary of Defense and shall serve as Special Government Employees under the authority of 5 U.S.C. § 3109. Board Members shall, with the exception of travel and per diem for official travel, serve without compensation.

Board Members designated by the President shall serve for three years; however, except that any Member whose term of office has expired shall continue to serve until a successor is appointed. In addition, the President shall designate two persons each year to succeed the Members whose terms expire that year. If a Board Member dies or resigns, the official who designated the original Member shall designate a successor Member who shall serve for the remainder of the term. The Board Members shall select the Board Chairperson and Vice Chairperson from the total membership on an annual basis at the meeting designated as the Organizational Meeting.

- D. Board Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the Chairperson, and the estimated number of Board Meetings is four per year. The Board shall be authorized to establish subcommittees, as necessary and consistent with its mission, and these subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and other appropriate Federal Regulations.

Such subcommittees or workgroups shall not work independently of the chartered

Board, and shall report their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Agency or any Federal officers or employees not Board Members.

In addition, the Board, pursuant to 10 U.S.C. § 4355(d) through (f), shall visit the U.S. Military Academy annually. Board Members, with the approval of the Secretary of the Army, may make other visits to the U.S. Military Academy in connection with their Board Member duties or to consult with the Superintendent of the Academy. The Board, when visiting the U.S. Military Academy, shall inquire into the morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the U.S. Military Academy that the Board decides to consider. Within 60 days after its annual visit to the U.S. Military Academy, the Board shall submit a written report of its actions, views, and recommendations to the President of the United States. Any report of a visit, other than the annual visit, shall, if approved by a majority of the Board Members, be submitted to the President of the United States within 60 days after the Board's approval.

- E. Duration and Termination of the Board: Pursuant to 10 U.S.C. § 4355 the need for this advisory function is on a continuing basis; however, the Charter for the Board is subject to renewal every two years.
- F. Agency Support: The Department of Defense, through the Secretary of the Army, the Army Deputy Chief of Staff for Personnel, and the United States Military Academy shall provide support as deemed necessary for the performance of the Board's functions, and shall ensure compliance with the requirements of 5 U.S.C., Appendix.
- G. Operating Costs: It is estimated that the annual operating costs, to include travel costs and contract support, for this Board is \$70,000.00. The estimated annual personnel costs to the Department of Defense are 1.0 full-time equivalent (FTEs).
- H. Charter Filed: July 31, 2008

TAB 2

CHARTER
UNITED STATES MILITARY ACADEMY BOARD OF VISITORS

- A. Official Designation: The Committee shall be known as the United States Military Academy Board of Visitors (hereafter referred to as the Board).
- B. Objectives and Scope of Activities: The Board, under the provisions of 10 U.S.C. § 4355, and the Federal Advisory Committee Act of 1972, (5 U.S.C., Appendix, as amended), shall provide the President of the United States independent advice and recommendations on matters relating to the U.S. Military Academy, to include but not limited to morale and discipline, curriculum, instruction, physical equipment, fiscal affairs, and academic methods.
- C. Board Membership: The Board shall be composed of not more than 15 members. Under the provisions of 10 U.S.C. § 4355 (a), the Board members shall include:
- a. The Chairperson of the Committee on Armed Services of the Senate, or designee;
 - b. Three other members of the Senate designated by the Vice President or the President pro tem of the Senate, two of whom are members of the Senate Committee on Appropriations;
 - c. The Chairperson of the Committee on Armed Services of the House of Representatives, or designee;
 - d. Four other members of the House of Representatives designated by the Speaker of the House of Representatives, two of whom are members of the House Committee on Appropriations; and
 - e. Six persons designated by the President.

Board Members designated by the President, who are not Federal officers or employees, shall be appointed as experts and consultants by the Secretary of Defense under the authority of 5 U.S.C. § 3109 and serve as Special Government Employees. Board Members shall, with the exception of travel and per diem for official travel, serve without compensation.

Board Members designated by the President shall serve for three years; however, except that any Member whose term of office has expired shall continue to serve until a successor is appointed. In addition, the President shall designate two persons each year to succeed the Members whose terms expire that year. If a Board Member dies or resigns, the official who designated the original Member shall designate a successor Member who shall serve for the remainder of the term. The Board Members shall select the Board Chairperson from the total membership.

- D. Board Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the Chairperson, and the estimated number of Board Meetings is four per year.

The Designated Federal Officer shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. The Designated Federal Officer or an Alternate Designated Federal Officer shall attend all Board and subcommittee meetings.

The Board shall be authorized to establish subcommittees, as necessary and consistent with its mission, and these subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and other appropriate Federal Regulations.

Such subcommittees or workgroups shall not work independently of the chartered Board, and shall report their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Agency or any Federal officers or employees not Board Members.

In addition, the Board, pursuant to 10 U.S.C. § 4355(d) through (f), shall visit the U.S. Military Academy annually. Board Members, with the approval of the Secretary of the Army, may make other visits to the U.S. Military Academy in connection with their Board Member duties or to consult with the Superintendent of the Academy. The Board, when visiting the U.S. Military Academy, shall inquire into the morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the U.S. Military Academy that the Board decides to consider. Within 60 days after its annual visit to the U.S. Military Academy, the Board shall submit a written report of its actions, views, and recommendations to the President of the United States. Any report of a visit, other than the annual visit, shall, if approved by a majority of the Board Members, be submitted to the President of the United States within 60 days after the Board's approval.

- E. Duration of the Board: Pursuant to 10 U.S.C. § 4355 the need for this advisory function is on a continuing basis; however, the Charter for the Board is subject to renewal every two years.
- F. Agency Support: The Department of Defense, through the Secretary of the Army, the Army Deputy Chief of Staff for Personnel, and the United States Military Academy shall provide support as deemed necessary for the performance of the Board's functions, and shall ensure compliance with the requirements of 5 U.S.C., Appendix, as amended.
- G. Termination Date: The Board shall terminate upon completion of its mission or two years from the date of this Charter is filed, whichever is sooner or unless the Secretary of Defense extends it.
- H. Operating Costs: It is estimated that the annual operating costs, to include travel costs and contract support, for this Board is \$70,000.00. The estimated annual personnel costs to the Department of Defense are 1.0 full-time equivalent (FTEs).
- I. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26 and appropriate DoD policies and procedures. Subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended), these records shall be available for public inspection and copying.
- J. Charter Filed: